

LD1317324

## HOUSE BILL NO. 1999

Offered January 20, 1995

A *BILL* to amend the Code of Virginia by adding sections numbered 63.1-220.6, 63.1-220.7 and 63.1-220.8, relating to adoption; penalty.

Patrons—Marshall, Callahan, Katzen and O'Brien

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 63.1-220.6, 63.1-220.7 and 63.1-220.8 as follows:

§ 63.1-220.6. Revocation of entrustment, consent, request for return of custody; best interests hearing.

Any juvenile and domestic relations court of competent jurisdiction may, in appropriate circumstances, upon motion of any party conduct a hearing to determine the best interests of the child in any case where: (i) the birth parent(s) revoke a permanent entrustment agreement after the expiration of the revocation period provided under § 63.1-220.2, (ii) the birth parent(s) revoke a consent to adoption after the expiration of the revocation period provided under § 63.1-220.3 or (iii) more than fifteen days have elapsed following the birth parent's(s') failure, without good cause, to appear at a hearing to execute consent under § 63.1-220.3, provided the birth parent(s) have received prior notice of the hearing.

§ 63.1-220.7 Parental presumption.

There shall be no legal presumption in favor of any party in a hearing to determine the best interests of a child under this chapter, when (i) the child has been placed by either birth parent with prospective adoptive parents, a licensed child-placing agency or a local board of social services for the purpose of adoption; (ii) the child has remained continuously in the physical or legal custody of the adoptive parents, a licensed child-placing agency or a local board of social services for a period in excess of twenty-five days; and (iii) more than fifteen days have elapsed following the execution of a permanent entrustment or, in the case of a parental placement adoption under § 63.1-220.3, more than fifteen days have elapsed following the execution of consent or more than fifteen days have elapsed following the birth parent's(s') failure, without good cause, to appear at a hearing to execute consent, provided the birth parent(s) have received proper notice of such hearing.

§ 63.1-220.8. False or misleading reporting of information; penalty.

Any person who knowingly and intentionally provides under oath and in writing false information or conceals information which is material to an adoptive placement to any licensed child-placing agency, local board of social services or to any other person shall be guilty of a Class 6 felony. The Commissioner is authorized to investigate such cases and may refer the case to the attorney for the Commonwealth for prosecution.

INTRODUCED

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